

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

ELEVENTH DAY'S PROCEEDINGS

**Thirty-Third Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 17, 2007

The Senate was called to order at 10:00 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Cassidy	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Duplessis	Marionneaux	
Total - 38		

ABSENT

Hollis
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Ted Long, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA
OFFICE OF THE LIEUTENANT GOVERNOR
Baton Rouge, Louisiana 70804**

April 30, 2007

Senator Donald E. Hines, M.D., President
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

In accordance with La. R.S. 36:206, I have appointed Mrs. Dawn Romero Watson to the position of Undersecretary, Office of Management and Finance, Department of Culture, Recreation and Tourism, effective July 24, 2006, and to remain in effect through this administration.

Mr. Matthew Jones previously held this position. Mrs. Watson's contact information is as follows:

333 LSU Avenue
Baton Rouge, LA 70808

Also in accordance with R.S. 36:206(3), the Louisiana Tourism Promotion District nominated, and upon their nomination, I appointed Mr. Chuck Morse to the position of Acting Assistant Secretary, Office of Tourism, Department of Culture, Recreation and Tourism on July 10, 2006. By this notification, I am requesting senate confirmation of Mr. Morse as Assistant Secretary, to remain in effect through this administration.

Ms. Darienne Wilson previously held this position. Mr. Morse's contact information is as follows:

3717 South Pin Oak Drive
New Orleans, LA 70131

Your favorable consideration of this request would be appreciated. If you have questions, please contact my office at 225.342.7009.

Sincerely,
MITCHELL J. LANDRIEU
Lieutenant Governor

**OFFICE OF THE COMMISSIONER OF INSURANCE
STATE OF LOUISIANA
Baton Rouge, Louisiana 70804**

May 2, 2007

The Honorable Donald E. Hines, M.D.
Senate President
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

RE: Appointment of J. William "Bill" Newton to Louisiana Citizens Property Insurance Corporation Board of Directors

Dear President Hines:

Pursuant to L.R.S. 22:1430.3A(1), this shall serve as notification of my appointment of Chief Deputy Commissioner of Insurance, J. William "Bill" Newton, as designee of the commissioner of insurance to the Board of Directors of Louisiana Citizens Property Insurance Corporation. Furthermore, in accordance with L.R.S. 22:1430.3E, I am respectfully submitting Mr. Newton's appointment for confirmation by the Senate.

Mr. Newton replaces my previous designee, Chad M. Brown, who also was the elected chairman of the board.

If you need any additional information, please contact my office at 342-5423.

Very truly yours,
JAMES J. "JIM" DONELON
Commissioner of Insurance

**STATE BOARD OF ELEMENTARY AND
SECONDARY EDUCATION
Baton Rouge, LA 70804**

March 8, 2007

The Honorable Donald E. Hines, President
Louisiana State Senate
P. O. Box 94183
Baton Rouge, LA 70804-4183

RE: Senate Confirmation of the State Superintendent of Education
Louisiana Department of Education

Dear Senator Hines:

The Louisiana Board of Elementary and Secondary Education met in special session on March 1, 2007, and took the following action:

On motion of Ms. Buquet, seconded by Ms. Givens, the Board directed that a letter be sent to the Governor and to the Legislature requesting Senate confirmation of Mr. Paul G. Pastorek as State Superintendent of Education.

In accordance with mandates of the Louisiana Constitution and Titles 17 and 36 of the Louisiana Revised Statutes, I am submitting the following information on Mr. Pastorek and respectfully request Senate confirmation of his appointment.

SUPERINTENDENT OF EDUCATION
(Effective no later than March 30, 2007)
Paul G. Pastorek
124 Midway
River Ridge, LA 70123

Thank you in advance for your consideration of this request. Please contact the BESE Office should you need additional information.

Sincerely,
LINDA M. JOHNSON
President

**STATE SUPERINTENDENT OF EDUCATION
LOUISIANA STATE DEPARTMENT OF EDUCATION
Baton Rouge, Louisiana 70804**

April 27, 2007

The Honorable Don Hines, President
Louisiana State Senate
Post Office Box 44183
Baton Rouge, LA 70804

Dear Mr. President:

RE: Senate Confirmation of Appropriate Unclassified Personnel
Louisiana Department of Education

In accordance with mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the name of the individual below who was appointed to the following unclassified position in the Department of Education.

Acting Deputy Superintendent for Management and Finance
(Effective September 4, 2006)
Elizabeth Scioneaux
Office of Management and Finance

3620 Westervelt Avenue
Baton Rouge, LA 70820

I respectfully request Senate confirmation of this appointment.

Sincerely,
PAUL G. PASTOREK
State Superintendent of Education

**FLORIDA PARISHES JUVENILE JUSTICE COMMISSION
Hammond, LA 70404**

April 12, 2007

Senate President
P. O. Box 94183, Capitol Station
Baton Rouge, LA 70804

RE: Appointees to Florida Parishes Juvenile Justice Commission

Dear Senator:

Please find enclosed herewith the Oaths of Office on the individuals who were appointed or re-appointed to serve as Commissioners on the Florida Parishes Juvenile Justice Commission on March 14, 2007. This information is being forwarded to your office to comply with the provisions of R.S.15:1094.1(A), which requires Senate approval of the appointees.

Their names, length of terms, and the appointing authority, as set forth in R.S. 15:1094.1(A), are as follows:

Ronald Bell
March 1, 2007 to February 28, 2011
Judges, 22nd Judicial District Court

Paul Johnson
March 1, 2007 to February 28, 2011
Judges, 21st Judicial District Court

Joseph Kevin Pearson
March 1, 2007 to February 28, 2011
Judge, City Court of Slidell and Judge, City Court of Bogalusa

Michael B. Forbes
March 1, 2007 to February 28, 2009
21st Judicial District Attorney

If you have any questions regarding this matter, please feel free to contact me at (985) 748-7890.

Very truly yours,
BRENDA C. BICKFORD,
Administrative Assistant

**LSU HEALTH CARE SERVICES DIVISION
Baton Rouge, LA 70809**

June 21, 2006

The Honorable Don Hines
President of the Senate
P. O. Box 94183
Capitol Station
Baton Rouge, LA 70804

RE: Appointment to the Louisiana State University -
Health Care Services Division Community Advisory Committee

Dear Senator Hines:

Attached is a completed Confirmation Questionnaire on an individual recently appointed to the Lallie Kemp Regional Medical Center Community Advisory Committee:

May 17, 2007

"Anthony Campo - Replacing Reverend Lefete Tucker

In accordance with R. S. 17:1519.7.B, "Such appointments shall be submitted to the Senate for confirmation."

If you have any questions regarding the questionnaire, please contact Marcia Daigle of my staff. Ms. Daigle may be reached at 922-0493.

Sincerely, DONALD R. SMITHBURG Executive Vice President, LSU System Chief Executive Officer, HCSD

LOUISIANA DEPARTMENT OF INSURANCE Baton Rouge, Louisiana 70804

November 3, 2006

The Honorable Donald E. Hines, M.D. President of the Senate Post Office Box 94183 Baton Rouge, Louisiana 70804

Attn: Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for Robert E. Barsley, D.D.S. for membership to the Louisiana Health Care Commission, effective November 3, 2006. Dr. Barsley represents the Louisiana Dental Association and replaces Cryil James "C.J." Richard. D.D.S.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely, ALISON M. JONES Executive Director Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE Baton Rouge, Louisiana 70804

June 21, 2006

The Honorable Donald E. Hines, M.D. President of the Senate Post Office Box 94183 Baton Rouge, Louisiana 70804

Attn: Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for Patricia Prechter, R.N., Ed.D. for membership to the Louisiana Health Care Commission, effective June 21, 2006. Dr. Prechter replaces Dr. Patrick O'Brien, representing the Louisiana Association of Independent Colleges and Universities.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely, ALISON M. JONES Executive Director Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE Baton Rouge, Louisiana 70804

October 9, 2006

The Honorable Donald E. Hines, M.D. President of the Senate Post Office Box 94183 Baton Rouge, Louisiana 70804

Attn: Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for James C. Sonnier, D.C. for membership to the Louisiana Health Care Commission, effective October 5, 2006. The current study period ends June 30, 2007. Dr. Sonier represents the Chiropractic Association of Louisiana.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely, ALISON M. JONES Executive Director Louisiana Health Care Commission

LOUISIANA DEPARTMENT OF INSURANCE Baton Rouge, LA 70804

March 26, 2007

The Honorable Donald E. Hines, M.D. President of the Senate Post Office Box 94183 Baton Rouge, Louisiana 70804

Attn: Ms. Marie Lively

Dear Senator Hines:

The Louisiana Health Care Commission (LHCC) was recreated in July of 1999 with its members serving terms of two years beginning July 1, 1999.

We are hereby submitting the attached appointment for Elizabeth Sumrall for membership to the Louisiana Health Care Commission, effective March 23, 2007. The current study period ends June 30, 2007. Ms. Sumrall represents the Louisiana Department of Health and Hospitals and replaces Ms. Christine Arbo Peck.

Enclosed is the completed questionnaire and a list of the current members with their proper seat information. Several of the seats are still vacant and the pertinent information will be forwarded to you as they become appointed.

If you have any questions, please call me or have a member of your staff call me at 225-342-4311.

Sincerely,
ALISON M. JONES
Executive Director, Louisiana Health Care Commission

**LOUISIANA DEPARTMENT OF INSURANCE
Baton Rouge, Louisiana 70804**

May 1, 2007

The Honorable Donald E. Hines
President
Louisiana Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

In accordance with Louisiana Revised Statute 36:683, I have appointed Mr. James William Newton as Chief Deputy Commissioner of the Department of Insurance.

In that regard, I hereby acknowledge the following appointment to the Department of insurance and submit to you the name for consideration of Senate confirmation as required by law.

CHIEF DEPUTY COMMISSIONER
(Effective April 23, 2007)
James William Newton
35140 Garden Drive
Slidell, LA 70460

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

With warm regards,
JAMES J. DONELON
Commissioner of Insurance

**LOUISIANA STATE BAR ASSOCIATION
New Orleans, Louisiana 70130**

September 21, 2006

Hon. Donald E. Hines
President, Louisiana State Senate
Post Office Box 262
Bunkie, Louisiana 71322

Hon. Ulysses G. Thibodeaux
Vice Chair, Judicial Compensation Commission
P.O. Box 16577
Lake Charles, Louisiana 70616

RE: Judicial Compensation Commission Appointment

Dear Senator Hines and Judge Thibodeaux:

We have received from James J. Coleman, Sr. notice of his retirement from the Louisiana Judicial Compensation commission. Inasmuch as Mr. Coleman was the Louisiana State Bar Association's representatives on the Commission, we understand that in accordance with La. R.S. 13:42 and 13:43 the LSBA must submit for Senate confirmation the name of a Louisiana State Bar Association representative to serve the final year of Mr. Coleman's four-year term.

The Louisiana State Bar Association respectfully recommends former LSBA President Michael W. McKay of Baton Rouge for appointment to the Judicial Compensation Commission. Mr. McKay's contact information is as follows:

Michael W. McKay
McKay Lutgring & Cochran, LLC
Suite 290
2431 S. Acadian Thruway
Baton Rouge, Louisiana 70808-2365

Please do not hesitate to contact should you have any questions or need further information.

With kind regards I am,

Sincerely,
MARTA-ANN SCHNABEL
President

**OFFICE OF LEGISLATIVE AUDITOR
State of Louisiana
Baton Rouge, LA 70804**

March 28, 2007

The Honorable Donald E. Hines, President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804-9183

Dear Senator Hines:

In accordance with Louisiana Revised Statute 24:2511(E), I have appointed Mr. Daryl G. Purpera as First Assistant Legislative Auditor, effective November 20, 2006. Mr. Purpera is replacing Mr. Albert "Robbie" J. Robinson, Jr., who has retired from our agency.

In that regard, I hereby acknowledge the following appointment and submit to you the name for consideration of Senate confirmation as required by law.

FIRST ASSISTANT LEGISLATIVE AUDITOR
(Effective November 20, 2006)
Mr. Daryl G. Purpera
P. O. Box 94397
Baton Rouge, LA 70804

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Sincerely,
STEVE J. THERIOT, CPA
Legislative Auditor

**OFFICE OF THE COMMISSIONER OF INSURANCE
STATE OF LOUISIANA
Baton Rouge, Louisiana 70804**

May 2, 2007

The Honorable Donald E. Hines, M.D.
Senate President
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

RE: Appointment of Clarissa Preston to the Property Insurance Association of Louisiana Board of Directors

Dear President Hines:

Pursuant to L.R.S. 22:1405B(1)(b), this shall serve as

notification of my appointment of Deputy Commissioner of Insurance, Clarissa Preston, as one appointment of the commissioner of insurance to the Board of Directors of the Property Insurance Association of Louisiana. Furthermore, in accordance with the aforementioned statute, I am respectfully submitting Ms. Preston's appointment for confirmation by the Senate.

The position being filled by Ms. Preston was previously vacant.

If you need any additional information, please contact my office at 342-5423.

Very truly yours,
JAMES J. "JIM" DONÉLON
Commissioner of Insurance

VERMILION PARISH POLICE JURY
Abbeville, LA 70510

March 29, 2007

The Honorable Donald E. Hines, President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804-9183

Dear Senator Hines:

In accordance with Louisiana Revised Statute 25:214.4, the Vermilion Parish Police Jury has appointed Dr. Derek Nguyen to the Vermilion Parish Library Board effective March 19, 2007.

In that regard, I hereby acknowledge the following appointment and submit to you the name for consideration of Senate confirmation as required by law.

VERMILION PARISH LIBRARY BOARD
(Effective March 19, 2007)
Dr. Derek Nguyen
1720 Veterans Memorial Drive
Abbeville, LA 70510

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Very Truly Yours,
CHRIS THERIOT
Administrative/Secretary-Treasurer

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

May 16, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATORS FONTENOT AND BROOME
A CONCURRENT RESOLUTION

To designate May 16, 2007, as Louisiana Housing Council Day.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR CASSIDY
A CONCURRENT RESOLUTION

To commend Harold "Hal" Boutte, Jr. upon receiving honorable mention as a 2007 Goldwater Scholar.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 60—
BY SENATOR CASSIDY
A CONCURRENT RESOLUTION

To commend Claire Kendig upon her selection as a 2007 Goldwater Scholar.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR CASSIDY
A CONCURRENT RESOLUTION

To commend Cynthia "CC" Dubois upon her selection to USA Today's All-USA College Academic Team.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATOR CASSIDY
A CONCURRENT RESOLUTION

To commend Jacquelyn Zimmerman upon her selection to USA Today's All-USA College Academic Team, third team.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR CASSIDY
A CONCURRENT RESOLUTION

To commend John Casey upon his selection as a 2007 Goldwater Scholar.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Privilege Report of the
Legislative Bureau

May 17, 2007

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 24—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 13:783(F)(6), relative to the offices of the clerks of court in Beauregard, Rapides, and Vernon parishes; to require the payment of premium costs for certain life and group medical insurance for certain retired personnel; to provide for eligibility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 33—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 13:961(F)(1)(s), relative to court reporters for the Thirty-Third Judicial District Court in Allen Parish; to provide for the fees to be charged for transcriptions; and to provide for related matters.

May 17, 2007

Reported without amendments.

HOUSE BILL NO. 72—
BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 13:621.21, relative to district judges; to provide for an additional judgeship for the Twenty-First Judicial District Court with subject matter jurisdiction limited to juvenile matters as provided by law; to provide for compensation of the additional judge; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 121—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 13:621.4, relative to district judges; to provide for two additional judgeships for the Fourth Judicial District Court; to provide for compensation of the two new judges; to provide for their election and term of office and those of their successors in office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 283—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 13:964.3, relative to the Twenty-First Judicial District Court; to provide for the assessment of court costs to fund court reporter fees prepared for indigents; to authorize additional fees in criminal cases; to authorize an additional filing fee in civil cases; to create an indigent transcript fund for the payment of court reporter fees; to authorize the court administrator to retain certain fees; to provide for rates of payment to court reporters; to provide for an annual audit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 305—
BY REPRESENTATIVES LABRUZZO AND TOOMY AND SENATORS LENTINI AND ULLO
AN ACT

To enact R.S. 13:3049.1, relative to jury service in the Twenty-Fourth Judicial District; to provide for compensation for jury service; to provide for contempt of court; to provide for a special fund; to provide for a schedule of costs; to require the filing of a bond or a deposit for costs in civil cases requesting a jury trial; to require the clerk of court to keep records; to provide for payment of grand jurors and alternate jurors; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 29—
BY SENATOR ADLEY

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 25, 2007, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

On motion of Senator Adley, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 30—
BY SENATOR SHEPHERD

A RESOLUTION

To commend the Santa Fe First Baptist Church of Purcell, Oklahoma and Pastor Ricky D. McNeal for their efforts and compassion in assisting Louisiana evacuees from Hurricane Katrina.

On motion of Senator Shepherd, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 31—
BY SENATORS SHEPHERD AND ULLO

A RESOLUTION

To commend and congratulate Charles and Ursula Allen for their contributions to St. Joseph the Worker Catholic Church and the surrounding community.

On motion of Senator Shepherd, the resolution was read by title and adopted.

**Senate Resolutions
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 27—
BY SENATOR BAJOIE

A RESOLUTION

To commend University of New Orleans for its many contributions to the city and to the state of Louisiana, and to declare May 17, 2007, as UNO Day at the Legislature.

On motion of Senator Bajoie, the resolution was read by title and adopted.

**Senate Concurrent Resolutions
on Second Reading**

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To proclaim May 22, 2007, as Junior League of Louisiana Day.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux B	Quinn
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler

Cain	Jackson	Shepherd
Cassidy	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Duplessis	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Hollis	Marionneaux
Total - 2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 16, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 436—

BY REPRESENTATIVES MARTINY, ALARIO, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEATON, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, LANCASTER, LORUSSO, MARCHAND, MONTGOMERY, MORRELL, MORRIS, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WHITE, WILLIAMS, WINSTON, AND WOOTON AND SENATORS CHAISSON, CRAVINS, JACKSON, MICHOT, MURRAY, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 9:2800.16, R.S. 15:85.1(A)(2)(b), 146 through 149.1, 150, 151, 1202(A)(13), and 1424(B)(3), R.S. 24:513(A)(3), 515.1(A), (B)(introductory paragraph), and (D), and 517.1(F)(1) and (2), R.S. 33:1342(1), R.S. 36:4(D) and 801.1(A), R.S. 39:1302(1)(f), R.S. 46:236.5(B)(2), Children's Code Articles 321(C) and (D), 607(A), 608(B), 740(B), and 809(C) and (E), and Code of Criminal Procedure Articles 944(A), 948(A), and 953, to enact R.S. 15:141 through 143, 149.2, and 152 through 184, to repeal R.S. 15:144, 145, 145.1, and 151.2, and to direct the Louisiana State Law Institute to redesignate certain statutory provisions, all relative to indigent defender services; to enact the Louisiana Public Defender Act; to create the Louisiana Public Defender Board; to provide for the powers and duties of the board; to provide for definitions; to provide for legislative findings; to provide for the authority of the board; to provide for rulemaking; to provide for the hiring of executive staff positions for the board; to provide for job descriptions and qualifications for executive staff; to provide for the establishment of public defender service regions; to provide for the powers and duties of regional directors; to provide for the powers and duties of district public defenders; to provide for the filling of vacancies in the office of district public defenders; to provide for the selection process for employing regional directors; to create the Louisiana Public Defender Fund; to provide for the composition of the fund, administration of the

fund, and use of monies from the fund; to provide for the adoption of mandatory standards and guidelines of practice in the delivery of indigent defender services; to provide for qualification standards and mandatory training for attorneys delivering public defender services; to provide for disciplinary actions taken by the board for the failure to comply with mandatory standards and guidelines; to provide for a due process hearing for disciplinary action taken against a regional director or district public defender; to provide for the transfer of the powers, duties, authority, and obligations of the Indigent Defense Assistance Board to the Louisiana Public Defender Board; to provide for the transfer of the duties and functions relating to the delivery of indigent defender services from judicial district indigent defender boards to the judicial district indigent defender fund under the management of the district public defenders; to provide that no right or cause of action is created by the provisions hereof; and to provide for related matters.

HOUSE BILL NO. 137—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 40:2607(D) and 2608.1, relative to seizure and forfeiture; to provide for the sale of certain seized property pending forfeiture; to provide for procedures for conducting a sale of seized property pending forfeiture; and to provide for related matters.

HOUSE BILL NO. 213—

BY REPRESENTATIVES JOHNS, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GEYMAN, ELCIE GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARTINY, MCDONALD, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:1238.1(B) and to enact R.S. 40:971(B)(1)(i) and 1238.1(C), relative to controlled dangerous substances; to provide penalties for obtaining a second or subsequent controlled dangerous substance without disclosing the fact of the existing prescription for a controlled dangerous substance to a health care practitioner; to create the crime of obtaining a second prescription for Carisoprodol without disclosure of first prescription to a health care practitioner; to provide for penalties; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 266—

BY REPRESENTATIVES MORRISH, MCVEA, AND SCALISE
AN ACT

To enact R.S. 39:51.1, relative to the General Appropriation Bill; to provide a procedure for the submission and review of proposed amendments by the legislature; and to provide for related matters.

HOUSE BILL NO. 318—

BY REPRESENTATIVE WALKER
AN ACT

To enact R.S. 46:446.6, relative to medical assistance payments; to provide for definitions; to require health insurers to provide information to the Department of Health and Hospitals to determine the status and nature of coverage of Medicaid eligibles; to require health insurers to accept the state's right to recover; to require health insurers to respond to an inquiry from the department regarding a claim; to prohibit health insurers from denying a claim based on certain conditions; to allow the prevailing party in a legal action to collect certain fees and costs; and to provide for related matters.

May 17, 2007

HOUSE BILL NO. 393—

BY REPRESENTATIVES WINSTON, ALARIO, ANDERS, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, K. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOWNS, DURAND, FAUCHEUX, FRITH, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TOOMY, TRAHAN, WADDELL, AND WALKER

AN ACT

To amend and reenact R.S. 46:460.21(A)(1), (2), (3), (5)(introductory paragraph), and (6) and (B)(1) and to enact R.S. 46:460.21(B)(1.1) and (G) and Chapter 6 of Title V of the Louisiana Children's Code, to be comprised of Articles 571 through 575, and Part II of Code Title XIV of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:185.1 through 185.9, relative to the representation of indigent parents in child abuse and neglect cases; to provide for the establishment of the indigent parents' representation program; to provide for the powers and duties of the Indigent Defense Assistance Board or any successor to that board; to provide that the Indigent Defense Assistance Board or any successor to that board administer a program to provide representation for indigent parents in abuse and neglect cases; to provide for legislative findings; to provide for definitions; to provide for uniform standards and guidelines for the representation of indigent parents in certain cases; to provide for mandatory training for attorneys representing indigent parents in certain cases; to create the Louisiana Indigent Parent Representation Program Fund; to provide for administration of the fund; to prohibit the commingling of revenues in the fund; to provide for the adoption of rules; to provide for the effect to be given to provisions; to provide for reporting requirements of cases; to provide for auditing; to provide for the incremental implementation; to provide for a time period for implementation; to provide for the transfer and use of certain funds in child protection cases; and to provide for related matters.

HOUSE BILL NO. 545—

BY REPRESENTATIVES RITCHIE AND PINAC

AN ACT

To amend and reenact R.S. 37:73(1)(a)(i) and (iv), 77(A) and (C)(3) and (4), 79(A)(introductory paragraph), (1), (2), (4), (7), (8), and (9) and (B)(introductory paragraph), 80(C), 81(A), (B), and (K)(1), and 94(A)(1), (2), and (3)(introductory paragraph), (a), and (c) and to enact R.S. 37:94(A)(3)(d), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for firm permits for out-of-state firms; to provide for practice privileges for out-of-state practitioners; to provide for investigation of and enforcement of such provisions for out-of-state practitioners; and to provide for related matters.

HOUSE BILL NO. 647—

BY REPRESENTATIVE CHANDLER

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to private correctional facilities; to provide for definitions; to provide that private correctional facility officers have the same authority as state correctional facility officers to perform their duties, including the use of force; and to provide for related matters.

HOUSE BILL NO. 678—

BY REPRESENTATIVES K. CARTER, ERDEY, MCDONALD, MORRELL, SCALISE, GARY SMITH, TOOMY, TUCKER, AND WALSWORTH

AN ACT

To enact Chapter 10 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3301 through 3311, relative to addressing the critical need for adequate and affordable residential and commercial property insurance in Louisiana; to establish the "Insure Louisiana Incentive Program" in order to attract new property insurance market capacity through certain public and private partnerships in order to accomplish this

essential public purpose; to provide for the administration and funding of the program; to provide for the administration of the program through the execution of cooperative endeavor agreements which provide for matching grants and for the conditions and limitations on such grants; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 827—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 30:125(B), 127(A)(introductory paragraph), and 188(D), relative to administration of state mineral leases; to provide relative to registration of leaseholders and prospective leaseholders; to provide relative to fiduciary responsibility for leases owned in indivision by more than five hundred persons; and to provide for related matters.

HOUSE BILL NO. 959— (Substitute for House Bill No. 128 by Representative McDonald)

BY REPRESENTATIVES MCDONALD AND THOMPSON

AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of justice of the peace courts; to provide for the election of justices and constables of those courts; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 186—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 14:102.23, relative to offenses affecting public sensibility; to prohibit the ownership or possession of a dangerous dog by persons convicted of certain felonies; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 269—

BY REPRESENTATIVES HUTTER AND GRAY

AN ACT

To enact R.S. 40:1300.143(3)(a)(xiii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; and to provide for related matters.

HOUSE BILL NO. 378—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 30:2548, relative to litter abatement; to create the "Adopt a Water Body" program; to establish responsibilities of participants; to provide for signage; and to provide for related matters.

HOUSE BILL NO. 424—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 17:66(A)(2) and (C), relative to the Central Community School System; to provide relative to the geographic boundaries of the school system; to provide relative to when school board members take office; and to provide for related matters.

HOUSE BILL NO. 481—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1078(B)(2) and 1304(A) and (B), relative to insurance fees and expenses; to provide for an annual financial regulation fee; to provide for expenses of an examination or investigation; and to provide for related matters.

HOUSE BILL NO. 499—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1078(B)(1), (4), and (8), to enact R.S. 22:1078(B)(25), and to repeal R.S. 22:1078(B)(5), relative to fees collected by the commissioner of insurance; to provide with respect to the fee for an initial certificate of authority for an insurer or rating organization; to provide relative to fees for

certified copies of documents; to delete the fee for initial examination of insurance companies; to provide with respect to the fee for filing a charter, other documents, and amendments thereto; to provide for a fee for the issuance of a certificate of compliance; and to provide for related matters.

HOUSE BILL NO. 558—

BY REPRESENTATIVES SALTER, DORSEY, TOWNSEND, ANDERS, BOWLER, DURAND, ERDEY, FARRAR, FAUCHEUX, ELCIE GUILLORY, HARRIS, HEBERT, HILL, KLECKLEY, LAFLEUR, MORRELL, PINAC, SCALISE, GARY SMITH, ST. GERMAIN, TOOMY, TUCKER, AND WALSWORTH AND SENATORS DUPRE, HINES, AND NEVERS
AN ACT

To enact R.S. 22:1426, relative to property and casualty insurance; to provide with respect to premium discounts, credits, rate differentials, adjustments in deductibles, or other adjustments on such policies of insurance for compliance with building codes and for damage mitigation improvements or construction techniques; to authorize the commissioner of insurance to promulgate rules; and to provide for related matters.

HOUSE BILL NO. 862—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 22:1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to authorize certain activities by the corporation; to provide for certain terms, conditions, and procedures of the corporation; to provide for policies issued by the corporation; to require the creation of a policy take-out program for the depopulation and restructuring of the corporation; and to provide for related matters.

HOUSE BILL NO. 512—

BY REPRESENTATIVES CURTIS AND JACKSON
AN ACT

To amend and reenact R.S. 40:1061, 1065, 1091, 1092, 1300.12(A), and 1300.13 and to repeal R.S. 40:1300.13(F) and 1300.16, relative to venereal diseases; to change the definition of venereal disease; to provide for reporting cases of venereal diseases; to provide for standard tests for blood samples; to provide for HIV-related tests; and to provide for related matters.

HOUSE BILL NO. 462—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 14:34.2(B)(3), relative to the crime of battery of a police officer; to provide for a minimum mandatory period of incarceration when the battery results in an injury requiring medical attention; and to provide for related matters.

HOUSE BILL NO. 523—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 40:1238.4, relative to dispensing legend drugs; to prohibit pharmacists from filling prescriptions based upon the results of an electronic questionnaire; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 595—

BY REPRESENTATIVES TRAHAN, ALEXANDER, BADON, CHANDLER, CRANE, CROWE, DOWNS, FANNIN, ELBERT GUILLORY, KENNEY, T. POWELL, AND RITCHIE
AN ACT

To amend and reenact R.S. 17:24.10(A) and (I)(3), to provide relative to a program for early childhood development and enrichment activity classes; to designate a program name; and to provide for related matters.

HOUSE BILL NO. 596—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 22:615 and 692.1, relative to insurance policies; to provide for the protection of innocent coinsureds with regard to loss by fire; to provide for the effect of misrepresentation by an insured to an insurer; and to provide for related matters.

HOUSE BILL NO. 784—

BY REPRESENTATIVES BARROW AND GRAY
AN ACT

To amend and reenact R.S. 40:2017 (introductory paragraph) and to enact R.S. 40:2017(B), relative to the Department of Health and Hospitals; to include qualified licensed clinical social workers as providers for the purposes of Medicaid reimbursement; and to provide for related matters.

HOUSE BILL NO. 815—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 22:1137(C)(3) and 1193(L), relative to title insurance producers; to provide for the exclusion of certain title insurance producers from compliance with the statutory continuing education requirements for the renewal of a producer license; and to provide for related matters.

HOUSE BILL NO. 298—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact Section 1(A) of Act No. 57 of the 2005 Regular Session of the Legislature and to repeal House Concurrent Resolution No. 191 of the 2006 Regular Session of the Legislature, relative to the Grand Isle Port Commission; to provide relative to the use of certain waters for seafood production research; to provide relative to the specification of the boundaries of the area in which the research will be done; to repeal a resolution suspending the current boundary description; and to provide for related matters.

HOUSE BILL NO. 335—

BY REPRESENTATIVES LAFLEUR, BADON, BALDONE, BURRELL, CURTIS, FARRAR, FAUCHEUX, HONEY, KENNEY, ODINET, RICHMOND, RITCHIE, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:2180.1(A), relative to the fee paid for notice of ad valorem tax delinquency to mortgagees; to repeal the annual fee of five dollars; to authorize a new one-time fee of twenty dollars for notice of tax delinquency; to provide relative to the notice of delinquency to the current mortgage holder upon payment of the fee; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 137—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 40:2607(D) and 2608.1, relative to seizure and forfeiture; to provide for the sale of certain seized property pending forfeiture; to provide for procedures for conducting a sale of seized property pending forfeiture; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 186—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.23, relative to offenses affecting public sensibility; to prohibit the ownership or possession of a dangerous dog by persons convicted of certain felonies; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 213—

BY REPRESENTATIVES JOHNS, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GEYMAN, ELCIE GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARTINY, MCDONALD, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:1238.1(B) and to enact R.S. 40:971(B)(1)(i) and 1238.1(C), relative to controlled dangerous substances; to provide penalties for obtaining a second or subsequent controlled dangerous substance without disclosing the fact of the existing prescription for a controlled dangerous substance to a health care practitioner; to create the crime of obtaining a second prescription for Carisoprodol without disclosure of first prescription to a health care practitioner; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 266—

BY REPRESENTATIVES MORRISH, MCVEA, AND SCALISE

AN ACT

To enact R.S. 39:51.1, relative to the General Appropriation Bill; to provide a procedure for the submission and review of proposed amendments by the legislature; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 269—

BY REPRESENTATIVES HUTTER AND GRAY

AN ACT

To enact R.S. 40:1300.143(3)(a)(xiii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 298—

BY REPRESENTATIVE PITRE

AN ACT

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The bill was read by title; lies over under the rules.

HOUSE BILL NO. 318—

BY REPRESENTATIVE WALKER

AN ACT

To enact R.S. 46:446.6, relative to medical assistance payments; to provide for definitions; to require health insurers to provide information to the Department of Health and Hospitals to determine the status and nature of coverage of Medicaid eligibles; to require health insurers to accept the state's right to recover; to require health insurers to respond to an inquiry from the department regarding a claim; to prohibit health insurers from denying a claim based on certain conditions; to allow the prevailing party in a legal action to collect certain fees and costs; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 335—

BY REPRESENTATIVES LAFLEUR, BADON, BALDONE, BURRELL, CURTIS, FARRAR, FAUCHEUX, HONEY, KENNEY, ODINET, RICHMOND, RITCHIE, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:2180.1(A), relative to the fee paid for notice of ad valorem tax delinquency to mortgagees; to repeal the annual fee of five dollars; to authorize a new one-time fee of twenty dollars for notice of tax delinquency; to provide relative to the notice of delinquency to the current mortgage holder upon payment of the fee; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 378—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 30:2548, relative to litter abatement; to create the "Adopt a Water Body" program; to establish responsibilities of participants; to provide for signage; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 393—

BY REPRESENTATIVES WINSTON, ALARIO, ANDERS, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURRELL, K. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOWNS, DURAND, FAUCHEUX, FRITH, GALLOT, GRAY, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, GARY SMITH, JACK SMITH, JANE SMITH, THOMPSON, TOOMY, TRAHAN, WADDELL, AND WALKER

AN ACT

To amend and reenact R.S. 46:460.21(A)(1), (2), (3), (5)(introductory paragraph), and (6) and (B)(1) and to enact R.S. 46:460.21(B)(1.1) and (G) and Chapter 6 of Title V of the Louisiana Children's Code, to be comprised of Articles 571 through 575, and Part II of Code Title XIV of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:185.1 through 185.9, relative to the representation of indigent parents in child abuse and neglect cases; to provide for the establishment of the indigent parents' representation program; to provide for the powers and duties of the Indigent Defense Assistance Board or any successor to that board; to provide that the Indigent Defense Assistance Board or any successor to that board administer a program to provide representation for indigent parents in abuse and neglect cases; to provide for legislative findings; to provide for definitions; to provide for uniform standards and guidelines for the representation of indigent parents in certain cases; to provide for mandatory training for attorneys representing indigent parents in certain cases; to create the Louisiana Indigent Parent Representation Program Fund; to provide for administration of the fund; to prohibit the commingling of revenues in the fund; to provide for the adoption of rules; to provide for the effect to be given to provisions; to provide for reporting requirements of cases; to provide for auditing; to provide for the incremental implementation; to provide for a time period for implementation; to provide for the transfer and use of certain funds in child protection cases; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 424—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 17:66(A)(2) and (C), relative to the Central Community School System; to provide relative to the geographic boundaries of the school system; to provide relative to when school board members take office; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 436—

BY REPRESENTATIVES MARTINY, ALARIO, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEATON, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, LANCASTER, LORUSSO, MARCHAND, MONTGOMERY, MORRELL, MORRIS, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WHITE, WILLIAMS, WINSTON, AND WOOTON AND SENATORS CHAISSON, CRAVINS, JACKSON, MICHOT, MURRAY, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 9:2800.16, R.S. 15:85.1(A)(2)(b), 146 through 149.1, 150, 151, 1202(A)(13), and 1424(B)(3), R.S. 24:513(A)(3), 515.1(A), (B)(introductory paragraph), and (D), and 517.1(F)(1) and (2), R.S. 33:1342(1), R.S. 36:4(D) and 801.1(A), R.S. 39:1302(1)(f), R.S. 46:236.5(B)(2), Children's Code Articles 321(C) and (D), 607(A), 608(B), 740(B), and 809(C) and (E), and Code of Criminal Procedure Articles 944(A), 948(A), and 953, to enact R.S. 15:141 through 143, 149.2, and 152 through 184, to repeal R.S. 15:144, 145, 145.1, and 151.2, and to direct the Louisiana State Law Institute to redesignate certain statutory provisions, all relative to indigent defender services; to enact the Louisiana Public Defender Act; to create the Louisiana Public Defender Board; to provide for the powers and duties of the board; to provide for definitions; to provide for legislative findings; to provide for the authority of the board; to provide for rulemaking; to provide for the hiring of executive staff positions for the board; to provide for job descriptions and qualifications for executive staff; to provide for the establishment of public defender service regions; to provide for the powers and duties of regional directors; to provide for the powers and duties of district public defenders; to provide for the filling of vacancies in the office of district public defenders; to provide for the selection process for employing regional directors; to create the Louisiana Public Defender Fund; to provide for the composition of the fund, administration of the fund, and use of monies from the fund; to provide for the adoption of mandatory standards and guidelines of practice in the delivery of indigent defender services; to provide for qualification standards and mandatory training for attorneys delivering public defender services; to provide for disciplinary actions taken by the board for the failure to comply with mandatory standards and guidelines; to provide for a due process hearing for disciplinary action taken against a regional director or district public defender; to provide for the transfer of the powers, duties, authority, and obligations of the Indigent Defense Assistance Board to the Louisiana Public Defender Board; to provide for the transfer of the duties and functions relating to the delivery of indigent defender services from judicial district indigent defender boards to the judicial district indigent defender fund under the management of the district public defenders; to provide that no right or cause of action is created by the provisions hereof; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 462—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:34.2(B)(3), relative to the crime of battery of a police officer; to provide for a minimum mandatory period of incarceration when the battery results in an injury requiring medical attention; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 481—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1078(B)(2) and 1304(A) and (B), relative to insurance fees and expenses; to provide for an annual financial regulation fee; to provide for expenses of an examination or investigation; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 499—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1078(B)(1), (4), and (8), to enact R.S. 22:1078(B)(25), and to repeal R.S. 22:1078(B)(5), relative to fees collected by the commissioner of insurance; to provide with respect to the fee for an initial certificate of authority for an insurer or rating organization; to provide relative to fees for certified copies of documents; to delete the fee for initial examination of insurance companies; to provide with respect to the fee for filing a charter, other documents, and amendments thereto; to provide for a fee for the issuance of a certificate of compliance; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 512—

BY REPRESENTATIVES CURTIS AND JACKSON

AN ACT

To amend and reenact R.S. 40:1061, 1065, 1091, 1092, 1300.12(A), and 1300.13 and to repeal R.S. 40:1300.13(F) and 1300.16, relative to venereal diseases; to change the definition of venereal disease; to provide for reporting cases of venereal diseases; to provide for standard tests for blood samples; to provide for HIV-related tests; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 523—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 40:1238.4, relative to dispensing legend drugs; to prohibit pharmacists from filling prescriptions based upon the results of an electronic questionnaire; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 545—

BY REPRESENTATIVES RITCHIE AND PINAC

AN ACT

To amend and reenact R.S. 37:73(1)(a)(i) and (iv), 77(A) and (C)(3) and (4), 79(A)(introductory paragraph), (1), (2), (4), (7), (8), and (9) and (B)(introductory paragraph), 80(C), 81(A), (B), and (K)(1), and 94(A)(1), (2), and (3)(introductory paragraph), (a), and (c) and to enact R.S. 37:94(A)(3)(d), relative to the Louisiana Accountancy Act; to provide for a definition; to provide for firm permits for out-of-state firms; to provide for practice privileges for out-of-state practitioners; to provide for investigation of and enforcement of such provisions for out-of-state practitioners; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 558—

BY REPRESENTATIVES SALTER, DORSEY, TOWNSEND, ANDERS, BOWLER, DURAND, ERDEY, FARRAR, FAUCHEUX, ELCIE GUILLORY, HARRIS, HEBERT, HILL, KLECKLEY, LAFLEUR, MORRELL, PINAC, SCALISE, GARY SMITH, ST. GERMAIN, TOOMY, TUCKER, AND WALSWORTH AND SENATORS DUPRE, HINES, AND NEVERS

AN ACT

To enact R.S. 22:1426, relative to property and casualty insurance; to provide with respect to premium discounts, credits, rate differentials, adjustments in deductibles, or other adjustments on such policies of insurance for compliance with building codes and for damage mitigation improvements or construction

techniques; to authorize the commissioner of insurance to promulgate rules; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 595—
BY REPRESENTATIVES TRAHAN, ALEXANDER, BADON, CHANDLER, CRANE, CROWE, DOWNS, FANNIN, ELBERT GUILLORY, KENNEY, T. POWELL, AND RITCHIE

AN ACT

To amend and reenact R.S. 17:24.10(A) and (I)(3), to provide relative to a program for early childhood development and enrichment activity classes; to designate a program name; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 596—
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 22:615 and 692.1, relative to insurance policies; to provide for the protection of innocent coinsureds with regard to loss by fire; to provide for the effect of misrepresentation by an insured to an insurer; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 647—
BY REPRESENTATIVE CHANDLER

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to private correctional facilities; to provide for definitions; to provide that private correctional facility officers have the same authority as state correctional facility officers to perform their duties, including the use of force; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 678—
BY REPRESENTATIVES K. CARTER, ERDEY, MCDONALD, MORRELL, SCALISE, GARY SMITH, TOOMY, TUCKER, AND WALSWORTH

AN ACT

To enact Chapter 10 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3301 through 3311, relative to addressing the critical need for adequate and affordable residential and commercial property insurance in Louisiana; to establish the "Insure Louisiana Incentive Program" in order to attract new property insurance market capacity through certain public and private partnerships in order to accomplish this essential public purpose; to provide for the administration and funding of the program; to provide for the administration of the program through the execution of cooperative endeavor agreements which provide for matching grants and for the conditions and limitations on such grants; to provide for effectiveness; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 784—
BY REPRESENTATIVES BARROW AND GRAY

AN ACT

To amend and reenact R.S. 40:2017 (introductory paragraph) and to enact R.S. 40:2017(B), relative to the Department of Health and Hospitals; to include qualified licensed clinical social workers as providers for the purposes of Medicaid reimbursement; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 815—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 22:1137(C)(3) and 1193(L), relative to title insurance producers; to provide for the exclusion of certain title insurance producers from compliance with the statutory continuing education requirements for the renewal of a producer license; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 827—
BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 30:125(B), 127(A)(introductory paragraph), and 188(D), relative to administration of state mineral leases; to provide relative to registration of leaseholders and prospective leaseholders; to provide relative to fiduciary responsibility for leases owned in indivision by more than five hundred persons; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 862—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 22:1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to authorize certain activities by the corporation; to provide for certain terms, conditions, and procedures of the corporation; to provide for policies issued by the corporation; to require the creation of a policy take-out program for the depopulation and restructuring of the corporation; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 959— (Substitute for House Bill No. 128 by Representative McDonald)
BY REPRESENTATIVES MCDONALD AND THOMPSON
AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of justice of the peace courts; to provide for the election of justices and constables of those courts; to provide for effectiveness; and to provide for related matters.

The bill was read by title; lies over under the rules.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 74—
BY REPRESENTATIVES CROWE AND STRAIN
AN ACT

To enact R.S. 33:1573.1, relative to the office of the coroner of St. Tammany Parish; to provide relative to the receipt by the coroner of certain ad valorem tax revenues; to provide relative to a cooperative endeavor agreement between the parish and the coroner; to provide for the powers and duties of the specified office of the coroner and the fiscal operation of the coroner's office; to provide for salaries; to provide for an annual report; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 180—
BY REPRESENTATIVES HUNTER, BURRELL, R. CARTER, ELBERT GUILLORY, LABRUZZO, M. POWELL, AND WHITE
AN ACT

To enact R.S. 15:571.11(O), relative to dispositions of fines and forfeitures; to authorize the acceptance of payment of fines by

credit card or other means; to provide for the collection of fees under certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 264—

BY REPRESENTATIVE MCVEA

AN ACT

To enact Subpart I of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4780.61 through 4780.70, relative to East Feliciana Parish; to authorize the governing authority of the parish to adopt and enforce zoning regulations and procedures therefor; to provide with respect to a zoning commission and a board of adjustment of the parish; to provide for appeals from decisions of the board of adjustment and for judicial review; to provide relative to penalties for violations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 334—

BY REPRESENTATIVE CHANDLER

AN ACT

To enact Subpart B-37 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.731 through 130.739, relative to economic development in Pollock; to create and provide for the Pollock Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 340—

BY REPRESENTATIVES WHITE, DURAND, HEBERT, SCALISE, AND TRAHAN

AN ACT

To amend and reenact R.S. 42:1169(A) and (E) and to enact R.S. 42:1169(G), relative to prohibited actions by employers against their employees; to provide relative to the procedures of the board of ethics concerning findings relating to public hearings and involving possible criminal activity; to provide relative to the records of the board concerning such findings; to require the posting in certain buildings of certain information regarding the rights of public employees to be free from reprisal for disclosing certain improper or illegal acts of employers; to provide relative to penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 389—

BY REPRESENTATIVES JOHN SMITH AND GEYMAN AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 11:788(C)(introductory paragraph) and to enact R.S. 11:788(C)(4), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the Deferred Retirement Option Plan; to provide for payment of interest on plan accounts; to provide for waiver of rights; to provide for rules; to provide limitations; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 441—

BY REPRESENTATIVES LAFLEUR, LORUSSO, THOMPSON, AND TOOMY AND SENATOR BARHAM

AN ACT

To amend and reenact R.S. 29:1(B), 5(C), 7(A) and (B), 7.1(B), 26(A), 28.1, 110, 115(B)(introductory paragraph) and (2), 116(1)(a) and (2), 118(A) and (B)(1) and (6), 119(C), 120(C)(3),

122, 158(B), 161, 165(A), 166(A) through (D), 170, 171, 173, 174, and 175 and to enact R.S. 29:7.1(C), relative to the regulation of the Military Department; to provide for regulation of law enforcement within the department; to provide for pay, allowances, and benefits of certain persons within the department; to provide relative to the situations which state military forces and individual service members may be called into state active service; to provide for the administration and operation of military property; to provide for the composition and conduct of disciplinary proceedings of service members; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 477—

BY REPRESENTATIVE TRICHE AND SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 25:341(D)(7) and (E) and to enact R.S. 25:341(D)(8), relative to the membership of the Board of Directors of the Louisiana State Museum; to provide for appointment of an additional member from a panel provided by the Friends of the Edward Douglass White Historic Site; to provide for the terms of board members; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 487—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 42:1119(F), relative to nepotism; to allow certain school boards to employ an immediate family member of a school board member under certain circumstances; to provide for recusal; to provide for disclosure; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 532—

BY REPRESENTATIVES DANIEL, DURAND, HEBERT, AND TRAHAN

AN ACT

To amend and reenact R.S. 42:1134(B), relative to the administration of the board of ethics and its powers, duties, and responsibilities; to provide for the position of ethics administrator; to provide relative to the duties and responsibilities of the ethics administrator; to prohibit the ethics administrator from engaging in certain activities; to provide relative to definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 607—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:1420.16, relative to special districts in Jefferson Parish; to provide for the creation of a special district in Jefferson Parish; to grant to such district certain rights and powers, including the power to provide for tax increment financing and to incur debt and issue evidences of indebtedness; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 707—

BY REPRESENTATIVE HARRIS

AN ACT

To enact R.S. 22:1210.88, relative to claims adjusters; to provide for the authority necessary for a claims adjuster to gain immediate entry into a designated disaster area; to provide for acceptable forms of identification necessary for a claims adjuster to enter

into a designated disaster area; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 779—
BY REPRESENTATIVE ELCIE GUILLORY
AN ACT

To amend and reenact R.S. 23:1651 and R.S. 36:308(B) and (C), relative to the office of regulatory services; to provide for a name change of the office of regulatory services to the office of unemployment insurance; to transfer certain functions of the office of regulatory services to the office of workforce development; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 794—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 33:2955(A)(1)(i) and R.S. 51:2395.1, relative to investments by public entities; to authorize public entities to invest in Louisiana Business and Industrial Development Companies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 806—
BY REPRESENTATIVES THOMPSON, ANDERS, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, MICKEY GUILLORY, HILL, HUNTER, KENNEY, LAFLEUR, McDONALD, JACK SMITH, ST. GERMAIN, STRAIN, AND WALSWORTH
AN ACT

To enact R.S. 3:333, relative to a Delta Development Initiative; to provide for legislative findings; to require the Center for Rural Initiatives to plan, develop, and implement a Delta Development Initiative; to provide for initiative purposes and components; to provide for collaboration with certain entities; to require certain responsibilities for the center in carrying out the initiative; to provide for evaluation and reports; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 77—
BY SENATOR CHEEK
AN ACT

To amend and reenact R.S. 37:2503(A) and (E) and to repeal R.S. 37:2503(A)(2)(h), (A)(2)(i) and (A)(2)(j), relative to the Board of Examiners for Nursing Facility Administrators; to provide for the composition of the board; to provide for board appointments; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 77 by Senator Cheek

AMENDMENT NO. 1
On page 2, line 26, delete "**The four**" and insert "**Three**"

AMENDMENT NO. 2
On page 2, line 28, delete "*" * *" and insert
"(c) One member shall be sixty years of age or older and shall serve as a representative of the elderly consumers of Louisiana. The elderly member shall not be actively engaged in nursing facility administration."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 137—
BY SENATOR FONTENOT
AN ACT

To enact R.S. 32:808.1 and to amend and reenact R.S. 32:808(A), relative to certain used motor vehicle dealers; to remove the requirement for the possession of a buyer's identification card for certain transactions; to require such dealers to keep a sales transaction register of such sales; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 137 by Senator Fontenot

AMENDMENT NO. 1
On page 2, between lines 13 and 14 insert the following:
"Section 2. This Act shall become effective only if, as, and when that Act which originated as House Bill 102 of the 2007 Regular Session of the Legislature of Louisiana becomes law."

AMENDMENT NO. 2
On page 2, line 14, change "Section 2." to "Section 3."

On motion of Senator Michot, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 153—
BY SENATOR DUPRE
AN ACT

To enact R.S. 22:1430.23, relative to Louisiana Citizens Property Insurance Corporation; to authorize certain activities by the corporation; to provide certain terms, conditions, and procedures of the corporation; to provide for policies issued by the corporation; to require the creation of a policy take-out program for the depopulation of Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 153 by Senator Dupre

AMENDMENT NO. 1
On page 2, lines 9 and 10, delete "**office of property and casualty of the**"

AMENDMENT NO. 2
On page 2, lines 16 and 17, delete "**office of property and casualty of the**"

AMENDMENT NO. 3
On page 2, after line 29 add the following:
"Section 2. The provisions of this Act shall only become effective if a successful bid is not accepted pursuant to the authority granted in the Act which originated as Senate Bill 195 of the 2007 Regular Session."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 158—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact RS 22:175(A)(4) and R.S. 23:1211 and to enact R.S. 22:175(A)(5), relative to life insurance allowances for officers and other members of the military forces of this state while in the service of the state of Louisiana in the course of the business of the military forces of this state; to provide for policy limits in cases of death and injury; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 158 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 5, after "**contrary**," delete the remainder of the line and lines 6 through 14 in their entirety and insert the following: "**during periods of activation ordered by the governor, benefits in a lump sum amount of two hundred fifty thousand dollars for death and one hundred thousand dollars for permanent total disability shall be paid by the state to such guardsmen or their beneficiaries. Such benefits for all officers or other members of the military forces of this state shall be provided by the state only during periods of activation ordered by the governor of Louisiana in the course of the business of the military forces of this state as required by this Part.**"

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 164—

BY SENATORS CASSIDY AND HINES

AN ACT

To amend and reenact R.S. 37:1270(B)(4), relative to the Louisiana State Board of Medical Examiners; to provide relative to revenue derived from improvements and the sale and lease of immovable property; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 164 by Senator Cassidy

AMENDMENT NO. 1

On page 2, line 4, after "**fund**," insert "**Prior to a sale authorized by this Paragraph, the commissioner of administration shall review the terms of the sale to ascertain that the sale amount constitutes fair market value or greater for the property.**"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 179—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:1519.1(2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12), 1519.2(B)(1)(c), (d), (e), (f), (g) and (h) and 3215(7), to enact R.S. 17:1518.1, 1518.2 and 1519.2(B)(3)(c), and to repeal R.S. 17:1519.10, relative to Huey P. Long Medical Center; to merge the Huey P. Long Medical Center, its funds, property, records, obligations, functions, and employees with the Louisiana State University Health Sciences

Center at Shreveport; to provide for the administration of Huey P. Long Medical Center; to provide for an advisory council; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 179 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 8, after "council;" insert "to provide for a memorandum of understanding;"

AMENDMENT NO. 2

On page 1, line 16, after "**Center**" delete "**at**" and insert "**in**"

AMENDMENT NO. 3

On page 2, line 25, after "**receivable**" insert "**accounts payable, payroll payables (benefits), outstanding debt, contractual obligations,**"

AMENDMENT NO. 4

On page 2, line 29, after "**liabilities**" delete the remainder of the line and insert "**at fiscal year end, accounts payable, payroll payables (benefits), outstanding debt, contractual obligations, expenses, obligations at fiscal year end, accounts receivable at fiscal year end, revenues, and similar**"

AMENDMENT NO. 5

On page 3, line 2, after "**originally made**," insert "**All outstanding cost reporting and Uncompensated Care Cost (UCC) receivables and payables from current and prior year activity shall transfer to the health sciences center.**"

AMENDMENT NO. 6

On page 3, line 26, after "**twenty**" insert "**-one**"

AMENDMENT NO. 7

On page 3, line 29, after "**council**," insert "**One member shall be the dean of the Tulane University Health Sciences Center, or his designee.**"

AMENDMENT NO. 8

On page 4, line 7, delete "**Ten**" and insert "**Eleven**"

AMENDMENT NO. 9

On page 4, line 29, delete the entire line and insert "**The health care services division (HCSD) of the Louisiana State (2) University**"

AMENDMENT NO. 10

On page 5, line 1, delete "**Medical Center**" and insert "**Health Sciences Center at New Orleans**"

AMENDMENT NO. 11

On page 5, between lines 5 and 6, insert the following:

"(3) Louisiana State University Health Sciences Center at Shreveport and HCSD of the Louisiana State University Health Sciences Center at New Orleans shall jointly prepare and agree to a memorandum of understanding (MOU) to affect an orderly, fair, and equitable transfer of all Huey P. Long Medical Center activity from HCSD of the Louisiana State University Health Sciences Center at New Orleans to the Louisiana State University Health Sciences Center at Shreveport. The MOU shall allow for the reimbursement of transition expenses of the Louisiana State University Health Sciences Center at New Orleans and HCSD of the Louisiana State University Health Sciences Center at New Orleans during the transition period. The transition period should be completed no later than one hundred eighty days following the beginning of the fiscal year, taking into consideration the transfer of the information technology systems;

the activity centered on the fiscal year end close, annual financial report preparation and the cost report preparation; and other operational transitional issues. The MOU shall be presented to and approved by the Senate Committee on Health and Welfare and the House of Representatives Committee on Health and Welfare upon its completion and prior to the parties entering into the MOU."

AMENDMENT NO. 12

On page 5, line 7, after "Center" delete hyphen "-" and insert "at"

AMENDMENT NO. 13

On page 5, line 10, after "education" insert ", to include at least the current residency program(s) offered by Tulane University Health Sciences Center"

AMENDMENT NO. 14

On page 7, line 26, delete the entire line and insert "and Huey P. Long Medical Center in Pineville."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 185—

BY SENATOR QUINN

AN ACT

To amend and reenact amend and reenact R.S. 22:636.2(A)(3), 636.4(E)(2)(a), 1210.52(3), 1217(introductory paragraph), 1256(A)(4), 1382(A)(3)(a)(iv), 1401, 1401.1(B), 1403(B)(1) and (D), 1404(3)(c), (d)(i) and (iii), (e), (f), and (5), 1404.1, 1404.2, 1404.3, 1405(A), (B)(2) and (3), (C), (D)(2) and (5), (G), (I)(1)(a) and (2), 1406, 1407(A)(3), (B), (C), (D), (E), (G), (H), (I), (J), and (K), 1408, 1409(A), (B), (D), (E), and (G)(1), 1409.1(A) and (B), 1410, 1411, 1412(B), 1413(B), (C), and (D), 1414(B), 1415, 1416, 1417(A) and (B), 1418, 1419(A)(1), (2), (3)(introductory paragraph), (5), (B), and (C), 1422, 1422.1, 1423(A), (B), (C)(8), and (E), 1430.1(3) and (6)(introductory paragraph), 1430.5(A), 1430.8(A), 1430.9(A), 1430.11(D), 1430.12(C), 1430.13, 1430.14, 1430.16(F), 1441(B), 1441.1(1), (2)(introductory paragraph), and (6), 1441.5(A) and (B), 1441.6(A)(1), (2)(g), and (B), 1441.7(A)(1) and (C), 1441.9 through 1441.13, 1441.15(1), (2)(introductory paragraph), and (6), 1441.16, 1441.19(A), 1441.20, 1441.21(A) and (D), 1441.23 through 1441.25, 1446, 1447, 1450.3(4) and (5), 1805, 1808(2), 2092.5(C)(2) and 2092.5.1(B), R.S. 23:1392(1) and (8)(a), R.S. 32:431(G) and 1043(A) and 40:1308(C)(6), to enact R.S. 22:1404(7), and (8), 1407(L) and (M), and 1426 and to repeal R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7), relative to insurance; to abolish the Louisiana Insurance Rating Commission; to provide for approval of certain rate increases or decreases by the commissioner of insurance; to authorize certain deductibles on wind and hail policies on a regional basis; to require all applications for rate increases to contain a sworn statement signed by certain insurance company officials verifying the information contained in the rate submission; to create a consumer protection officer within the office of the attorney general to advocate for consumers regarding insurance matters; to provide for certain mitigation discounts on rates; to provide for high deductible policies for policyholders who maintain homeowner's savings accounts; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 185 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact" and delete line 17 in its entirety and insert in lieu thereof the following: "22:1426 and to repeal R.S. 22:15(C)(8),"

AMENDMENT NO. 2

On page 2, line 25, after "reenacted and" delete the remainder of the line and insert the following: "R.S. 22:1426 is hereby enacted"

AMENDMENT NO. 3

On page 14, delete lines 2 through 11 in their entirety.

AMENDMENT NO. 4

On page 21, delete lines 7 through 27 in their entirety.

AMENDMENT NO. 5

On page 32, line 8, change "No" to "A. No" and delete "form" and insert "form"

AMENDMENT NO. 6

On page 32, delete lines 12 and 13 in their entirety and insert in lieu thereof the following: "under this Part.

B. The chief actuary of an insurer, or his designee, shall execute a certificate developed by the Department of Insurance which attests to the requirements of Subsection A of this Section.

C. Failure to provide such certification by the insurer shall result in the rate filing being disapproved without prejudice.

D. Any certification executed by the chief actuary of an insurer, or his designee, which is in violation of Subsection A of this Section shall subject the insurer to a fine of ten thousand dollars unless the commissioner determines that the insurer knew or reasonably should have known he was in violation of Subsection A of this Section in which case the fine shall be twenty-five thousand dollars."

AMENDMENT NO. 7

On page 35, line 17, change "protection officer" to "representation"

AMENDMENT NO. 8

On page 35, delete lines 18 through 24 in their entirety.

AMENDMENT NO. 9

On page 35, line 25, delete "B."

AMENDMENT NO. 10

On page 35, line 26, between "insurance" and the comma "," insert "regarding rate making"

AMENDMENT NO. 11

On page 35, line 27, delete "or the attorney general's consumer protection officer"

AMENDMENT NO. 12

On page 35, line 29, change "of the consumer protection officer" to "his designee"

AMENDMENT NO. 13

On page 36, line 3, delete "The" and delete lines 4 through 9 in their entirety.

AMENDMENT NO. 14

On page 37, line 18, between "or" and "solutions" insert "other retro-fit"

AMENDMENT NO. 15

On page 37, delete lines 20 and 21 and on line 22, delete "discounts." insert in lieu thereof the following:

"(1) Every insurer writing insurance in the state of Louisiana who makes a rate filing on or after August 15, 2007 shall include mitigation discounts in such filing."

AMENDMENT NO. 16

On page 37, line 23, change "reasonable" to "justified"

AMENDMENT NO. 17

On page 38, delete line 8 in its entirety and insert in lieu thereof the following: "in the state of Louisiana to an insured shall disclose that premium reductions are available to policyholders who"

mitigate the risk of being insured and shall disclose those discounts, credits"

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 196—
BY SENATOR MICHOT

AN ACT

To enact R.S. 32:1261(1)(w), relative to the distribution and sale of motor vehicles; to prohibit coercion of retail motor vehicle dealers by certain motor vehicle manufacturers or distributors regarding the sale of certain items; to provide for certain actions by manufacturers or distributors which will be considered coercive; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 196 by Senator Michot

AMENDMENT NO. 1

On page 2, line 29 after "**leasing company**" insert a period "." and delete the remainder of the line and on page 3, delete line 1 in its entirety.

AMENDMENT NO. 2

On page 3, between lines 1 and 2 insert the following:

* * *

On motion of Senator Michot, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 216—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 22:1430.23, relative to property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to prohibit the corporation from issuing certain policies; to require certain admitted insurers to insure certain homeowners; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 216 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 3 after "Corporation;" delete the rest of the line and insert "to provide that the corporation issue"

AMENDMENT NO. 2

On page 1, line 8 after "of" insert "**certain**"

AMENDMENT NO. 3

On page 1, delete lines 10 through 14

AMENDMENT NO. 4

On page 1, line 15 change "C" to "A"

AMENDMENT NO. 5

On page 1, line 16 after "**insurance**" insert a "." and delete the rest of the line and delete line 17 and insert the following: "**Except as is provided in Subsection B of this Section, the corporation shall issue policies pursuant to R.S. 22:1430.11.**"

AMENDMENT NO. 6

On page 2, line 1 change "D" to "B"

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 227—

BY SENATOR LENTINI

AN ACT

To enact Part XVIII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2151 through 2154, relative to insurance; to authorize local governmental subdivisions to form alliances or execute cooperative endeavor agreements to purchase affordable insurance; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 227 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2 after "enact" insert "22:636.2(E), 636.3(E), and"

AMENDMENT NO. 2

On page 1, line 5 after "insurance;" insert "to clarify that certain actions do not constitute grounds for cancellation;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." insert "R.S. 22:636.2(E), 636.3(E), and"

AMENDMENT NO. 4

On page 1, line 8 change "is" to "are"

AMENDMENT NO. 5

On page 1, between lines 8 and 9 insert the following:
"§636.2. Property, casualty, and liability insurance policies; cancellation and nonrenewal provisions; nonrenewal for rate inadequacy; certain prohibitions

* * *

E. None of the following shall constitute a new policy for the purposes of this Section:

- (1) Changes in coverage amounts.**
- (2) Changes in deductibles.**
- (3) Transferring a title to a successor or legatee through a succession.**
- (4) The renewal of an existing policy.**

§636.3. Cancellation by insurer; failure to maintain membership in required organization

* * *

E. None of the following shall constitute a new policy for the purposes of this Section:

- (1) Changes in coverage amounts.**
- (2) Changes in deductibles.**
- (3) Transferring a title to a successor or legatee through a succession.**
- (4) The renewal of an existing policy."**

AMENDMENT NO. 6

On page 2, line 23 after "**Section.**" insert the following: "**The alliance may execute cooperative endeavors agreements with local governmental subdivisions of other states to add to the alliance, thereby enlarging the risk pool and the bargaining power of the alliance.**"

AMENDMENT NO. 7

On page 2, line 28 after "discounts." insert the following: "**The alliance may require that the insured place the insured's car insurance in the alliance's risk pool as a requirement for the insured to participate in the alliance, thereby strengthening the bargaining power of the alliance.**"

AMENDMENT NO. 8

On page 3, line 12 change "licenced" to "licensed"
On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 282—
BY SENATOR SCHEDLER

AN ACT

To enact Part VII-A of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1745.2 through 1745.9, relative to health care providers; to include legislative findings; to provide definitions; to provide for reporting of certain actions by health care entities; to provide with respect to the entities to which such reporting is required; to provide for confidentiality of mandatory reports; to provide for the limitation of liability for mandatory reporters; to provide relative to the use of information provided by mandatory reporters; to provide for the promulgation of rules and regulations regarding reporting; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 282 by Senator Schedler

AMENDMENT NO. 1

On page 1, delete line 3 and insert the following:
"be comprised of R.S. 37:1745.2 through 1745.8 and R.S. 37:2372.1, relative to health care providers; to"

AMENDMENT NO. 2

On page 1, delete lines 8 and 9 and insert the following:
"of information provided by mandatory reporters; to provide for criminal background checks by the State Board of Examiners of Psychologists; to provide for an investigation fee; and to provide for"

AMENDMENT NO. 3

On page 1, delete line 13 and insert "1950, comprised of R.S. 37:1745.2 through 1745.8 and R.S. 37:2372.1, are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, line 14 delete "IMPAIRED"

AMENDMENT NO. 5

On page 1, line 16 delete "Impaired"

AMENDMENT NO. 6

On page 1, line 17 delete "Impaired"

AMENDMENT NO. 7

On page 2, delete line 29 and insert "any institution or"

AMENDMENT NO. 8

On page 3, delete lines 9 through 13 and insert the following:
"other authority from a professional licensing board to provide health care services in this state."

AMENDMENT NO. 9

On page 3, line 14, delete "(c)" and insert "(b)"

AMENDMENT NO. 10

On page 3, delete lines 20 through 22 and insert the following:
"(7) "Impaired; or "impairment" means dependency on, or the excessive use or abuse of, alcohol or drugs"

AMENDMENT NO. 11

On page 3, delete lines 25 through 29.

AMENDMENT NO. 12

On page 4, delete lines 1 through 5 and insert the following:
"(8) "Professional board" means the Louisiana State Board of Medical Examiners or the Louisiana State Board of Nursing."

AMENDMENT NO. 13

On page 4, delete lines 10 and 11 and insert the following:
"B. Except as provided in Paragraph (3) of this Subsection, a health care entity shall report each instance in which the health care entity:"

AMENDMENT NO. 14

On page 4, line 12 after "action" delete "regard"

AMENDMENT NO. 15

On page 4, line 14 after "privileges, the" delete "termination or"

AMENDMENT NO. 16

On page 4, line 18 after "under" delete "an"

AMENDMENT NO. 17

On page 4, delete line 20 and insert the following:
"(b) In return for not conducting an investigation,
(3) A report shall not be required under this Section when a health care professional is granted a leave of absence for evaluation or treatment of impairment or possible impairment provided all of the following conditions are met:
(a) The individual cooperates with the institutional policy regarding the evaluation or treatment of such impairment or possible impairment.
(b) Any leave of absence granted is for six months or less.
(c) The individual agrees not to engage in any clinical activity while undergoing evaluation or treatment except insofar as approved by his or her addiction provider while undergoing treatment.
(d) The individual, if a physician, cooperates with the Physicians Health Program of the Louisiana State Board of Medical Examiners or, if a registered nurse, cooperates with the Recovering Nurses Program of the Louisiana State Board of Nursing."

AMENDMENT NO. 18

On page 5, delete line 1 and insert "within seventy-two hours of the adverse action, surrender, resignation or withdrawal."

AMENDMENT NO. 19

On page 6, delete lines 8 through 18 and insert the following
"* * *

§2372.1. Authorization to obtain criminal history record information

A. As used in this Section, the following terms shall have the following meaning:

(1) "Applicant" means an individual who has made application to the board for the issuance or reinstatement of any license, registration, certificate, permit, or any other designation deemed necessary to engage or assist in the practice of psychology that the board is authorized by law to issue.

(2) "Bureau" means the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections.

(3) "Criminal history record information" means information collected by state and federal criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, bills of information, or any formal criminal charges, and any disposition arising therefrom, including sentencing, criminal correctional supervision, and release, but does not include intelligence for investigatory purposes, nor does it include any identification information which does not indicate involvement of the individual in the criminal justice system.

(4) "FBI" means the Federal Bureau of Investigation of the United States Department of Justice.

(5) "Licensure" means the granting of any license, permit, certification, or registration that the board is authorized to issue.

B. In addition to any other requirements established by regulation, the board may require an applicant, as a condition of licensure:

(1) To submit a full set of fingerprints, in a form and manner prescribed by the board.

(2) To permit the board to request and obtain state and national criminal history record information on the applicant.

(3) To collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the

board in requesting and obtaining state and national criminal history record information on the applicant.

C. In accordance with the provisions and procedures prescribed by this Section, the board may request and obtain state and national criminal history record information from the bureau and the FBI relative to any applicant for licensure whose fingerprints the board has obtained pursuant to this Section for the purpose of determining the applicant's suitability and eligibility for licensure.

D. Upon request by the board and upon the board's submission of an applicant's fingerprints and such other identifying information as may be required, the bureau shall conduct a search of its criminal history record information relative to the applicant and report the results of its search to the board within sixty days from receipt of any such request. The bureau may charge the board a processing fee for conducting and reporting on any such search.

E. If the criminal history record information reported by the bureau to the board does not provide grounds for disqualification of the applicant for licensure under the applicable law administered by the board, the board shall have the authority to forward the applicant's fingerprints and such other identifying information as may be required to the FBI with a request for a search of national criminal history record information relative to the applicant.

F. Any and all state or national criminal history record information obtained by the board from the bureau or FBI which is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents, and attorneys for the purpose of evaluating the applicant's eligibility or disqualification for licensure. No such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 290—
BY SENATOR SMITH

AN ACT

To enact Chapter 6-A of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1271 through 1282, relative to motor vehicles; to provide for the Vehicle Protection Product Act; to provide for definitions; to provide for the scope; to provide for registration and filing requirements; to provide requirements for licensure; to provide for warranty conditions and requirements; to provide for disclosure; to provide for prohibitions; to provide for record keeping; to provide for sanctions; to provide for rulemaking; to provide for applicability; to provide for severability; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 290 by Senator Smith

AMENDMENT NO. 1

On page 1, line 3 after "for the" insert "Louisiana"

AMENDMENT NO. 2

On page 1, line 12 change "are" to ", is"

AMENDMENT NO. 3

On page 2, delete lines 6 through 10 and insert the following:

"(2) "Commission" means the Louisiana Motor Vehicle Commission.

"(3) "Executive director" means the executive director of the Louisiana Motor Vehicle Commission."

AMENDMENT NO. 4

On page 2, at the beginning of line 11 change "(5)" to "(4)"

AMENDMENT NO. 5

On page 2, between lines 17 and 18 insert the following:

"(5) "Service contract" means a contract or agreement as defined under the Insurance Code."

AMENDMENT NO. 6

On page 2, line 23 delete "Section, the term" and insert "Chapter"

AMENDMENT NO. 7

On page 3, line 25 after "C." insert "(1)"

AMENDMENT NO. 8

On page 3, line 26 after "Chapter" delete "and sales" and insert "(2) Sales"

AMENDMENT NO. 9

On page 4, at the beginning of line 5 change "department" to "commission" and at the end of line 5 change "commissioner" to "executive director"

AMENDMENT NO. 10

On page 4, at the beginning of line 25 change "commissioner" to "executive director"

AMENDMENT NO. 11

On page 4, line 26 after "days" insert "from mailing of the notice"

AMENDMENT NO. 12

On page 5, line 16 change "commissioner" to "executive director"

AMENDMENT NO. 13

On page 5, line 21 change "commissioner" to "executive director"

AMENDMENT NO. 14

On page 6, line 2 between "The" and "financial" insert "private"

AMENDMENT NO. 15

On page 6, line 29 change "commissioner" to "executive director"

AMENDMENT NO. 16

On page 7, line 5 change "commissioner" to "executive director"

AMENDMENT NO. 17

On page 7, line 6 change "commissioner" to "executive director"

AMENDMENT NO. 18

On page 7, line 10 change "commissioner" to "executive director"

AMENDMENT NO. 19

On page 7, line 12 change "Every" to "A"

AMENDMENT NO. 20

On page 9, line 23 change "commissioner" to "executive director"

AMENDMENT NO. 21

On page 9, line 27 change "commissioner" to "executive director"

AMENDMENT NO. 22

On page 9, line 29 change "commissioner" to "executive director"

AMENDMENT NO. 23

On page 10, line 2 change "commissioner" to "executive director"

AMENDMENT NO. 24

On page 10, line 3 change "commissioner" to "executive director"

AMENDMENT NO. 25

On page 10, line 5 change "commissioner" to "executive director"

AMENDMENT NO. 26

On page 10, line 7 change "commissioner" to "executive director"

AMENDMENT NO. 27

On page 10, line 8 change "commissioner's" to "executive director's"

May 17, 2007

- AMENDMENT NO. 28
On page 10, line 11 change "commissioner" to "executive director"
- AMENDMENT NO. 29
On page 10, line 13 change "commissioner" to "executive director"
- AMENDMENT NO. 30
On page 10, line 19 change "commissioner" to "executive director"
- AMENDMENT NO. 31
On page 10, line 22 change "commissioner" to "executive director"
- AMENDMENT NO. 32
On page 10, line 25 change "commissioner" to "executive director"
- AMENDMENT NO. 33
On page 10, line 26 after "with the" change "commissioner" to "executive director" and after "date the" change "commissioner's" to "executive director's"
- AMENDMENT NO. 34
On page 10, line 27 change "commissioner" to "executive director"
- AMENDMENT NO. 35
On page 10, line 29 change "commissioner" to "executive director"
- AMENDMENT NO. 36
On page 11, line 2 change "commissioner" to "executive director"
- AMENDMENT NO. 37
On page 11, line 4 change "commissioner's" to "executive director's"
- AMENDMENT NO. 38
On page 11, line 6 change "commissioner" to "executive director"
- AMENDMENT NO. 39
On page 11, line 8 change "commissioner" to "executive director"
- AMENDMENT NO. 40
On page 11, at the end of line 23 insert a period "."

On motion of Senator Michot, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Max T. Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 17, 2007

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE BILL NO. 180—
BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state properties; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 321—
BY SENATOR HEITMEIER

AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MAX T. MALONE
Chairman

Regular Order of the Day Resumed

**Senate and Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate and Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to engage in a cooperative effort with other public and private organizations and institutions in establishing the Louisiana Health Care Quality Forum.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Cassidy	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Duplessis	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 39—
BY SENATORS JONES AND FIELDS

A CONCURRENT RESOLUTION

To urge and request the president of the Senate and the speaker of the House of Representatives to permanently display a photograph or portrait of "Coach" Eddie G. Robinson in Memorial Hall at the Louisiana State Capitol or in such other conspicuous place of prominence.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 39 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, after "photograph" insert "or portrait"

AMENDMENT NO. 2

On page 1, line 4, change "the rotunda of" to "Memorial Hall at" and after "Capitol" and before "." insert "or in such other conspicuous place of prominence"

AMENDMENT NO. 3

On page 1, line 5, change "acknowledge" to "acknowledges"

AMENDMENT NO. 4

On page 2, line 7, change "through" to "to"

AMENDMENT NO. 5

On page 2, line 13, change "urge and request" to "urges and requests"

AMENDMENT NO. 6

On page 2, line 15, after "photograph" insert "or portrait" and after "prominence" insert "or" and change "the rotunda of" to "Memorial Hall at"

On motion of Senator Jones, the committee amendment was adopted.

The resolution was read by title. Senator Jones moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Shepherd
Cassidy	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Hollis	Schedler
Total - 2	

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

Motion

Senator Heitmeier moved to suspend the rules to take up Senate Bill No. 60 and Senate Bill No. 96 out of their regular order.

Without objection, so ordered.

SENATE BILL NO. 60—

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 11:1006(D) and 1007, relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retired bus drivers; to provide for full-time employment of such bus drivers and the benefits payable thereto; to provide for suspension of benefits; to provide for contributions and employer reporting requirements; to provide for an effective date; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and recommitted to the Committee on Finance.

SENATE BILL NO. 96—

BY SENATOR AMEDEE AND REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 11:416(A)(2) and 441.1(G), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership; to provide for reemployment of retirees; to provide for options upon such reemployment; to allow reemployment of certain persons who retired pursuant to early retirement provisions; to provide for an effective date; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and recommitted to the Committee on Finance.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 17, 2007

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 16—

BY SENATOR BARHAM
A RESOLUTION

To commend the Forest High School Lady Bulldogs softball team, its coaches, managers, and trainers for a great season and for winning the 2007 LHSAA State Championship.

SENATE RESOLUTION NO. 17—

BY SENATOR ROMERO
A RESOLUTION

To commend and congratulate St. Martinville jockey Calvin Borel for riding Street Sense to victory in the 133rd Kentucky Derby.

SENATE RESOLUTION NO. 19—

BY SENATOR KOSTELKA
A RESOLUTION

To commend and congratulate Mrs. Doris Mott Robinson upon the occasion of her eighty-eighth birthday.

SENATE RESOLUTION NO. 18—

BY SENATOR BARHAM
A RESOLUTION

To commend Suzanne M. Perron for her many accomplishments as a clothing designer in the world's haute couture fashion industry.

SENATE RESOLUTION NO. 20—

BY SENATOR CASSIDY
A RESOLUTION

To commend the Louisiana Federation of Republican Women on their participation in the democratic process and for their commitment to political education and activity.

SENATE RESOLUTION NO. 21—
BY SENATOR NEVERS

A RESOLUTION

To commend Margie Yates Jenkins for her outstanding contributions to horticulture.

SENATE RESOLUTION NO. 22—
BY SENATOR MICHOT

A RESOLUTION

To commend and congratulate the members of the Cloutierville High School Class of 1957 upon the occasion of the fiftieth anniversary of their high school graduation.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

May 17, 2007

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to include the participation of any municipal governing authority in the decision-making process with respect to traffic control on any state highway that is situated within the corporate limits of such municipality.

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR SHEPHERD

A CONCURRENT RESOLUTION

To designate June 12, 2007, as "YMCA Day in Louisiana."

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATORS HINES, ADLEY, AMEDEE, BAJIOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES SALTER, ALARIO, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, ELBERT, GUILLORY, ELCIE GUILLORY, MICKEY GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WILLIAMS, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To memorialize the continued commitment of the Louisiana Legislature to the establishment of a major durable goods manufacturer to be located in St. James Parish.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 16, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 95—
BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to revise the current city designations of mailing addresses in unincorporated areas to be consistent with the nearest municipality.

HOUSE CONCURRENT RESOLUTION NO. 96—
BY REPRESENTATIVES WALKER AND DEWITT AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend Dr. John Robert Cavanaugh as he prepares to retire as chancellor of Louisiana State University in Alexandria.

HOUSE CONCURRENT RESOLUTION NO. 103—
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To commend and recognize the United Parcel Service of America, Inc., (UPS) for its contributions to the citizens of Louisiana on the occasion of its 100th anniversary.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Messages from the Governor

The following messages from the Governor were received and read as follows:

STATE OF LOUISIANA
OFFICE OF THE GOVERNOR
Baton Rouge, Louisiana 70804

May 3, 2007

Honorable Donald E. Hines, MD
Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

Attention: Sheri Connelly

Mr. President,

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated from June 7, 2006 through April 10, 2007.

In compliance with Louisiana Revised Statute 35:1, I hereby present them for the advice and consent of the Senate.

Appreciatively,
KATHLEEN BABINEAUX BLANCO
Governor

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Leaves of Absence

The following leaves of absence were asked for and granted:

Hollis 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, May 21, 2007, at 3:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:30 o'clock P.M. on Monday, May 21, 2007.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

